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CENTRAL INTELLIGENCE AGENCY
National Foreign Assessment Center

31 December 1981

MEMORANDUM

Poland: Government-Solidarity Agreements

Summary

Since August 1980 Solidarity and the regime have reached numerous informal understandings and signed some formal agreements. The negotiations that produced agreements were, for the most part, conducted in periods of high tension, and the documents were hastily drawn up and vaguely worded. The government clearly made concessions that it probably knew it would not or could not implement solely in order to end the immediate crisis. The government subsequently interpreted such concessions narrowly and interpreted union promises broadly; the union did the reverse. Both sides often ignored parts of the agreements, largely because events were moving so fast. The failure to resolve many issues meant that they were repeatedly raised. []

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The Gdansk Accords of 31 August 1980

Of Solidarity's 21 demands (see attached), only a few are important. The rest concerned specific economic demands that the government could not meet because it lacked resources and on which Solidarity did not press hard. The government agreed to:

- allow independent, self-governing trade unions, register them as legal bodies, ensure their unhampered operation, and prevent discrimination against them;
- include the right to strike in a new law on trade unions;
- submit a plan by the end of 1980 for work-free Saturdays. []

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In turn, Solidarity agreed to:

- respect the Polish constitution (which includes a reference to the leading role of the party);
- defend public ownership of the means of production;
- uphold established international alliances;
- not become a political party. []

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The two sides could not agree on the issue of political prisoners. Solidarity demanded the end to repression of

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individuals because of personal conviction, but the government agreed only to release several prisoners. []

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Conflicts soon arose over these agreements. The government registered the union only after considerable stalling and in numerous ways harassed and discriminated against it. Solidarity leaders believed the government reneged on a promise to introduce work-free Saturdays in January 1981, and the issue was resolved late that month by a compromise solution only after sharp confrontation. The union leadership clearly was not willing in practice to recognize the party's right to a "leading role," especially as Communist parties normally interpret the concept. The union increasingly made political demands, and some intellectuals associated with Solidarity began the creation of organizations that could have been the forerunners of political parties. The government's draft law on trade unions--completed only this fall--contained so many restrictions on the right to strike that it was unacceptable to Solidarity leaders. []

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The Bydgoszcz crisis at the end of March that was generated by the beatings of Solidarity activists, was also resolved by pseudo-agreements. The union demands included the sacking of those responsible for the beatings, increased media access, registration of an independent farmers' union, and ending legal proceedings against dissidents. Walesa on his own authority accepted vague government promises on some issues in order to avert a nationwide strike he felt would lead to a serious escalation of tensions. The union eventually got its own weekly newspapers, but never made much progress on access to radio and television. []

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The Helsinki Accord

Western allegations of violations of the human rights clauses of the Helsinki Accord are based on Principle VII, which calls for "respect for human rights and fundamental freedoms, including the freedom of thought, conscience, or belief." This principle insists inter alia that participants must "promote and encourage the effective exercise of civil, political, economic, social, cultural, and other rights..." Principle VI, on non-intervention in internal affairs has been the usual Soviet answer to Western allegations. This part of the Accord could be a double-edge sword, however, depending on which superpower can be portrayed to have violated Polish sovereignty. []

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Principle X ("Fulfillment in Good Faith of Obligations Under International Law") may also be applicable in the context of Polish restrictions on diplomatic activity. In addition, Helsinki language urging participating states to facilitate exchanges of information and activities of journalists are relevant to Polish press censorship, interference with journalists' activities, and jamming of Western broadcasts (a perennial CSCE issue). []

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The New List of Demands Made by the Strikers in Gdansk

Special to The New York Times

WARSAW, Aug. 20 — Following is the latest list of the demands being made by the strikers in Gdansk, as promulgated by the Interfactory Strike Committee.

1. Acceptance of free trade unions independent of the Communist Party and of enterprises, in accordance with convention No. 87 of the International Labor Organization concerning the right to form free trade unions, which was ratified by the Communist Government of Poland.
2. A guarantee of the right to strike and of the security of strikers and those aiding them.
3. Compliance with the constitutional guarantee of freedom of speech, the press and publication, including freedom for independent publishers, and the availability of the mass media to representatives of all faiths (this last demand, dropped Saturday, was restored).
4. (a) A return of former rights to:
 - People dismissed from work after the 1970 and 1976 strikes.
 - Students expelled from school because of their views.
- (b) The release of all political prisoners, among them Edmund Zdrzyski, Jan Kozlowski and

Marcel Kozlowski (leaders of the dissident movement).

(c) A halt in repression of the individual because of personal conviction.

5. Availability to the mass media of information about the formation of the Interfactory Strike Committee and publication of its demands.

6. The undertaking of actions aimed at bringing the country out of its crisis situation by the following means:

(a) Making public complete information about the social-economic situation.

(b) Enabling all sectors and social classes to take part in discussion of the reform program.

7. Compensation of all workers taking part in the strike for the period of the strike, with vacation pay from the Central Council of Trade Unions.

8. An increase in the base pay of each worker by 2,000 zlotys (800 at the official rate) a month as compensation for the recent rise in prices.

9. Guaranteed automatic increase in pay on the basis of increases in prices and the decline in real income.

10. A full supply of food products for the domestic market, with exports limited to surpluses.

11. The abolition of "commercial" prices and of other sales for hard currency in special shops.

12. The selection of management personnel on the

basis of qualifications, not party membership. Privileges of the secret police, regular police and party apparatus are to be eliminated by equalizing family subsidies, abolishing special stores, etc.

13. The introduction of food coupons for meat and meat products (during the period in which control of the market shutes is regained).

14. Reduction in the age for retirement for women to 50 and for men to 55, or after 30 years' employment in Poland for women and 35 years for men, regardless of age.

15. Conformity of old-age pensions and annuities with what has actually been paid in.

16. Improvements in the working conditions of the health service to insure full medical care for workers.

17. Assurance of a reasonable number of places in day-care centers and kindergartens for the children of working mothers.

18. Paid maternity leave for three years.

19. A decrease in the waiting period for apartments.

20. An increase in the commuter's allowance to 100 zlotys from 40, with a supplemental benefit on separation.

21. A day of rest on Saturday. Workers in the brigade system (team operations) or round-the-clock jobs are to be compensated for the loss of free Saturdays with increased leave or other paid time off.

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I have the following suggestion. It is difficult to start work today. The staff is tired and considerations of safety demand prudence. That is why I suggest that with the exception of those involved in plant protection services, all should go home and that we resume work on Monday at 0600 so as to make up for today by working 3 extra hours on Monday and Tuesday. Such is my proposal. I want a good rest. See you on Tuesday at 0600; that is, those who start at 0600. [applause]

I must make a correction. It is, of course, Monday. [applause]

WARSAW CARRIES 'EXPOSITION' OF GDANSK, SZCZECIN ACCORDS

LD012032 Warsaw Domestic Service in Polish 1700 GMT 1 Sep 80

[Text] We are now broadcasting an exposition of the text of the agreements concluded between governmental commissions and the Interfactory Strike Committees in Szczecin and Gdansk on Saturday and Sunday, which will be published in full in tomorrow's editions of ZYCIE WARSZAWY and GLOS PRACY as well as provincial newspapers of the PZPR throughout the country. The remaining papers will carry detailed expositions on the documents signed in Gdansk and Szczecin:

Stating in point number one that the activities of trade unions in the Polish Peoples' Republic have failed to match the hopes and expectations of the employees it is deemed to be expedient to set up new self-governing trade unions which can provide genuine representation of the working class. In creating new, independent and self-governing trade unions the Interfactory Strike Committee states that it will adhere to the principles found in the constitution of the Polish Peoples' Republic. The new trade unions will defend the social and material interests of the employees and do not intend to play the role of a political party. They will take a firm stand on the principle of the public ownership of the means of production, which constitutes the basis of the socialist system existing in Poland. Recognizing that the Polish United Workers' Party plays the directing role in the state, and without undermining the established system of international alliances these trade unions aim at ensuring for the working people the necessary means of control, of expressing their opinions and of defending their interests. The governmental commission states that the government will guarantee and ensure full respect for the independence and self-government of the new trade unions. The government will ensure the new trade unions have full opportunities to exercise their fundamental functions within the sphere of the defense of the interests of the employees and to satisfy their material, social and cultural needs. At the same time it guarantees that the new trade unions will not be the object of any discrimination.

The government undertakes to initiate laws concerned, in particular, with trade unions, the law on workers' self-government and the labor code.

The strike committees in existence have the opportunity to change to enterprise organs representing workers, such as workers' committees, employees' committees, workers' councils or organizational committees for the new self-governing trade unions.

The Interfactory Strike Committee [MKS], as the founding committee of these unions, has the freedom to choose one form or association for the coastal region. The organizational committees will function until the statutory election of the new authorities.

The government undertakes to create the conditions necessary for the registration of the new trade unions, outside the registry of the Central Council of Trade Unions [CRZZ].

The new trade unions should have the real possibility to make public their views on key decisions which determine the living conditions of the working people, on principles of distribution of national income for consumption and accumulation, the distribution of the social consumption fund for various purposes: the health service, education culture, the basic principles for fixing wages and the directions of the wages policy, and in particular, the automatic correction of wages in inflation, on long-range economic plans, the direction of investments and changes in prices.

The government undertakes to ensure conditions for the fulfillment of these functions.

MKS will set up a center for sociovocational problems; its task will be to carry out an objective analysis of the workers' situation, of living conditions of the working people and ways of representing workers' interests. This center will also carry out expert research into the index of wages and prices, and will also propose forms of compensation. This center will also publish results of its own research. In addition, the new trade unions will have their own publications.

The government will ensure the observance in Poland of the provisions of Article One, item one, of the law on trade unions of 1949, which says that workers and employees are guaranteed the right to free association in trade unions.

The newly-created trade unions will not be part of the association represented by CRZZ.

It is assumed that the new law will maintain this principle. At the same time the participation of the representatives of Interfactory Strike committees or the founding committees of the self-governing trade unions and other representative bodies of employees in the drafting of the law in question will be assured.

On the subject of point two it has been established that the right to strike will be guaranteed in the envisaged law on trade unions. Until the moment of the adoption of this new law the government guarantees the strikers and persons assisting them personal immunity and the maintenance of their present working conditions.

On the subject of point three it has been established that the government will submit to the Sejm, within a period of 3 months, a draft bill concerning the control of the press, publications and public performances based on the following principles:

Censorship should protect the interest of the state; this means protection of state and economic secrets the limitations of which will be described in greater detail by statutory regulations, as well as of matters relating to state security, important international interests of the state, protection of religious feelings, and at the same time feelings of nonbelievers; it should also prevent publication of material pernicious to morals.

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The draft bill will also cover the right to lodge complaints against the decisions of censorship organs to the Supreme Administrative Tribunal. This right will be introduced also by means of bringing up to date the statute covering administrative procedure.

The use of mass information media by religious associations within their religious activities will be made possible through agreements concerning questions of merit and organization and reached between the state organs and the religious associations concerned. The government will ensure the broadcast of the Sunday mass by radio within the framework of a detailed agreement with the episcopate. The working of radio and television as well as the press and publications should serve the aim of showing a variety of ideas, views and judgements. It should be under public control.

As regards point four, it has been established that there should be an immediate inquiry into the legitimacy of the dismissals from work after the strikes of 1970 and 1976. In all reported cases, if irregularities are discovered there should be an immediate reinstatement of employees if the latter wish to be reinstated, noting any improved qualifications that the employee in question might have acquired in the meantime. This will also apply to students who have been expelled.

Specific cases, mentioned in point B, which reads as follows: Release all political prisoners including Edmund Zadrozynski, Jan Kozlowski and Marek Kozlowski, are to be forwarded for examination to the Ministry of Justice which, within 2 weeks, will put the matter on the right course. In those cases where the persons named have been detained and deprived of freedom the serving of their sentence should be interrupted until the proceedings have been completed.

As regards point five which reads: Report through mass media the information about the establishing of the Interfactory Strike Committee and publish its tasks--it has been established that this demand will be fulfilled if national mass information media publish the minutes of the agreement between the governmental commission and the Interfactory Strike Committee in their domestic programs.

As regards point six, it has been decided that it was deemed necessary to markedly speed-up work on economic reform. The authorities will define and publish during the next few months the fundamental provisions of this reform. Facilities should be made available for wide public discussion of this reform.

The government will expand in a fundamental way the range of socioeconomic information available to the nation, to trade unions and to economic and social organizations.

MKS also proposes the creation of permanent prospects for the development of peasant family farms--the foundation of Polish agriculture, equal rights for all agricultural sectors as regards access to means of production, including land; the creation of conditions for the revival of village self-government.

As regards point seven, it has been decided to make payments on account to strikers for the period of the strike, of up to 40 percent of their wages, and after they return to work, to pay them the difference--up to their full wages--calculated at the same rate as that paid for holidays on the basis of an 8-hour working day.

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MKS is appealing to its member work forces to undertake actions, in conjunction with the management of enterprises and institutions aimed at increasing productivity, at economising on materials and energy, and fulfilling their duties in their posts.

As regards point eight, it has been decided that a gradual increase in wages will be introduced for all groups of employees, but primarily in the lowest brackets. It was agreed--as a principle--that wages be increased in the different enterprises and groups. The increases are, and will be, implemented while noting the specific character of crafts and industrial groups so as to raise them by one grade, or improve other elements of wages or grading.

As regards white collar workers in enterprises, they will receive an increase in their salaries equivalent to one personal grade. The process of introducing the increases in wages, now being discussed, will be completed by the end of September 1980 in compliance with the agreements arrived at in the different industries.

The government, after carrying out an analysis of all the industries, will submit, by 31 October 1980, in agreement with trade unions, a program to increase wages from 1 January 1981 for those receiving the lowest wages, with special attention given to families with many children.

As regards point nine, it has been accepted as necessary to slow down the increase in prices for general consumer goods through increased control of the socialized and private sectors, and in particular, by abolishing the so-called quiet price rise.

In accordance with the government decision, research into the shaping of the cost of living will be carried out. Similar research will also be performed by the trade unions and scientific institutions.

The government will work out, by the end of 1980, the principles of compensation for the increase in the cost of living. These principles will be put to public discussion and, when agreed on, implemented. They should take into consideration the problem of the social minimum.

As regards point 10, 11 and 13, it has been decided that an improvement in supply of meat to the population be carried out by 31 December 1980, as a result among others, of increasing the profitability of agricultural production, cutting down to the essential minimum the exports of meat and by additional imports of meat. By the same deadline, a program of improvement of meat supplies to the population will be worked out, taking into consideration the possibility of introducing the coupons system.

It has been agreed that there be no sale of Polish-produced general consumer goods which are in short supply at the Pewex [foreign currency] shops.

The community will be informed by the end of this year about the decisions and actions undertaken regarding supplies to the home market.

The MKS proposes to liquidate commercial shops, organize and unify meat prices and meat products (and to bring them to an average level).

As regards point 12 a demand is accepted that the leading cadres be consistently selected according to the principles of their qualifications and competence--this applying both to party members, members of (other) parties as well as nonparty people.

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The program of equalizing family benefits for all professional groups will be presented by the government by 31 December 1980.

As regards point 14, which deals with lowering the retirement age, the government commission considers the demand as impossible to realize in the country's current economic and population situation. This matter may be referred to discussion in the future. The MKS demands that this matter be researched by 31 December 1980, and that the possibility of early retirement--by 5 years--of workers employed in particularly hazardous conditions be considered. This should only happen in response to the suggestion of a given employee.

As regards point 15, the government commission states that an increase of the lowest retirement benefits and pensions will take place every year, in accordance with the economic capabilities of the country and in consideration of increases in the lowest wages. The government will present the program to implement this demand by 31 December 1980. The government will prepare a proposal for the lowest retirement benefits and pensions to be increased to the so-called social minimum, defined on the basis of the research of the relevant institutes, and made public and subjected to the control of the trade unions. The MKS stresses the utmost urgency of this matter and maintains the demand of equalizing retirement benefits and pensions of the old portfolio with the new portfolio and taking into consideration the increase in the cost of living.

As regards point 16, it has been deemed essential to immediately increase the resources for investment projects in the health service, to carry out improvements in the supply of medicines through additional imports of raw materials, to increase the wages of all the employees of the health service and to change the wage structure for nurses, as well as urgently prepare the governmental and ministerial program to improve the health of the community.

As regards point 17 which reads: A sufficient number of places in kindergartens and nursery schools for children of working women must be ensured, the commission fully agrees with the content of this demand. An appropriate program will be presented by the voivodship authorities by 30 November 1980.

As regards point 18, it has been decided that by 31 December 1980, in consultation with trade unions, an analysis of the capacity of the national economy and time limit, the amount of payment to be made to women who are on leave, at present unpaid, for the purpose of rearing their children, will be made.

MKS proposes that in the analysis, note should be made of the possibility of introducing this assistance payment at the level of a full wage during the 1st year from the birth of a child, and of 50 percent during the second year, amounting to not less than 22,000 per month. This demand must be implemented gradually, beginning with the first half of the year 1981.

As regards point 19, it has been decided that by 31 December 1980 a program will be submitted by voivodship authorities to improve the housing situation, aimed at shortening the waiting period for housing. Identical actions will be started throughout the country.

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As regards point 20, it has been agreed that as from 1 January 1981 subsistence payments will be increased, as will supplements to it for separation from the family. Appropriate proposals will be presented by the government by 31 October 1980.

As regards point 21, it has been decided that by 31 December 1980 principles and ways for implementing programs to introduce work-free, paid Saturdays, or other ways of regulating the shortened period of work will be arranged and submitted. This program will note the increase in work-free paid Saturdays already in 1981.

The government commission and the Interfactory Strike Committee in Szczecin accepted the following decisions, which we are now presented in exposition form.

Firstly, it was agreed that self-governing trade unions will be set up, which will have a socialist character, in compliance with the Constitution of the Polish People's Republic. Workers' committees--previously strike committees--will announce, whenever necessary, general, direct and secret elections for posts in trade unions.

It has been explained that a gradual rise in wages will be introduced for all groups of employees, and primarily for the lowest wage earners.

The level of the so-called social minimum will be defined by the end of the year, and from 1 January 1981 the lowest pensions and retirement benefits of the workers whose health has suffered because of their work will be increased. Next, it was agreed that their wages be maintained at least at the level paid at their previous post.

By the end of 1980, the level of the monthly benefit for a woman on a 3-year maternity leave will be defined. It was also agreed to equalize the family benefits for all the professional groups with the benefits of employees of the armed forces and the militia. This should take place in three equal yearly installments, beginning 1 January 1981.

It has been explained in the protocol that the declaration of human rights and the Final Act of the Helsinki conference will be published again in brochure form.

Next, it was agreed that none of the striking workers be victimized because of their strike activities. Also, there will be no repression against the political activists if, through their activity, they do not threaten in a criminal way the socialist system and fundamental interests of the People's Republic of Poland.

A successful development of the dialogue between the state and the church has been started. It will be possible for the church to have wider access to the mass media.

It was agreed that a plaque commemorating the victims of the events of December 1970 be mounted in the main gate area of the shipyard by 17 December 1980.

Another agreement deems it essential to further improve the health system in Poland, and in particular the supply of medicines.

It was agreed as essential to stop the increase in the prices of general consumer products.

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It was also agreed in the protocol that the government would arrange, by 31 December this year, a concrete program for the market supply in foodstuffs. By the same deadline an improvement in supplies of meat to the population will be made and a program for further improvement in this field, taking into consideration the possibility of introducing the coupons system, will be presented.

It was agreed that the Pewek shops not sell general consumer goods which are in short supply and produced in Poland.

Further agreements concern the undertaking of necessary actions aimed at explaining the reasons why the current situation occurred; the reemployment of people dismissed for their strike activity in the seventies, and the presentation, by 30 November of 1980, of the means to realize a limitation to censorship in the People's Republic of Poland.

It was considered as extremely important in the protocol that the supplies of materials to the work enterprises improve. By the end of 1980 a way to implement the program to introduce all free and paid Saturdays or other ways of shortening the working time, is to be presented.

It was established that the government present a program to solve the housing problem, with the guarantee that the waiting period be no more than 5 years.

In other points, following the above, principles were adopted for moving employees who do not prove themselves at managerial posts to lower-grade posts, for increasing, as of 1 January 1981, the level of subsistence payments, and for sending only outstanding employees or those who lost their good health to schools for leading workers and for vocational courses, at the cost of work enterprises.

It was agreed that by the end of this year the state authorities will draw up an amended charter of shipyard workers which will also include the employees of enterprises working in the shipyard.

The principle was adopted that during a strike the workers of work forces on strike receive a payment on account, amounting to 40 percent of their individual wages, and after they have resumed work, 100 percent of their usual wages corresponding to their jobs when on strike.

It was agreed that the full text of the final agreement be published by the local mass media and by the information service of the POLISH PRESS AGENCY.

The final decisions deal with the establishment by the chairman of the Council of Ministers of a mixed commission composed of representatives of the government, workers and voivodship administration. The commission will be chaired by the representative of the government, and representatives of workers and voivodship administrations will be deputy chairmen. The task of the commission will be to monitor the implementation of the decisions of the agreement and inform the work forces about it. In case of disputed questions, the sides will be obliged to hold joint consultations before any action is taken.

PZPR HOLDS PLENUM ON GDANSK, SZCZECIN TALKS 30 AUGUST

LD301728 Warsaw Domestic Service in Polish 1700 GMT 30 Aug 80

[Text] The Fifth Plenum of the PZPR Central Committee took place today. The deliberations were chaired by Edward Gierek, first secretary of the PZPR Central Committee. The Central Committee heard a report by Stanislaw Kanis, member of the Politburo and Central Committee secretary.

MEMORANDUM FOR: DCI
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The Vice President asked us for a brief paper on the key points of the 1980 Gdansk agreement and subsequent agreements between the government and Solidarity, those portions of the Helsinki agreement relevant to the Polish situation, and how all these agreements have been violated by one side or the other.

This paper was prepared by the Office of European Analysis. It is being forwarded to Philip Hughes, the Vice President's Executive Assistant.

cc: 

Date 31 December 1981